

AG Contract No. KR95 1807TRN
ADOT ECS File No. JPA 95-141
Project: Signal Maintenance
Section: SR-95 @ Boundary Cone Rd

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE FORT MOJAVE INDIAN TRIBE

THIS AGREEMENT is entered into 1 May, 1996,
pursuant to Arizona Revised Statutes, Sections 11-951 through 11-
954, as amended, between the STATE OF ARIZONA, acting by and
through its DEPARTMENT OF TRANSPORTATION (the "State") and the
FORT MOJAVE INDIAN TRIBE, acting by and through its TRIBAL
COUNCIL (the "FMIT").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the State.

2. The FMIT is empowered to enter into this agreement and
has resolved to enter into this agreement and has authorized the
undersigned to execute this agreement on behalf of the FMIT.

3. Under the State Department of Transportation District
permit process, the FMIT constructed a warranted traffic signal
on State Route 95 at the intersection of Boundary Cone Road. The
FMIT and the State desire to participate in the operation and
maintenance of the traffic signal, for the safety and benefit of
the motoring public.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:

NO. <u>20668</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>05/01/96</u>
<u>James Lee Hall</u> Secretary of State
By <u>Vicky Gruenewald</u>

II. SCOPE

1. The State will:

Provide maintenance to the signal, highway striping and the traffic loop detectors.

2. The FMIT will:

Provide electrical energy to operate the signal.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until cancelled by either party or other competent authority; provided, however, that any provisions herein for maintenance or electrical energy shall be perpetual.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto shall select a process for the resolution of disputes relating to this agreement, compliant with applicable laws and regulations of the State and Tribal government, and acceptable to the State and Tribal government.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

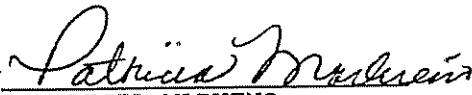
Fort Mojave Indian Tribe
Tribal Administrator
500 Merriman Avenue
Needles, CA 92363


7. Attached hereto and incorporated herein is the written determination of legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

FORT MOJAVE INDIAN TRIBE

STATE OF ARIZONA
Department of Transportation

By 
PATRICIA MADUENO
Chairman

By 
PETER L. ENO
Contract Administrator

RESOLUTION

BE IT RESOLVED on this 31st day of July 1995, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the Fort Mojave Indian Tribe for the purpose of defining responsibilities for the maintenance of a warranted traffic signal on SR-95 at Boundary Cone Road.

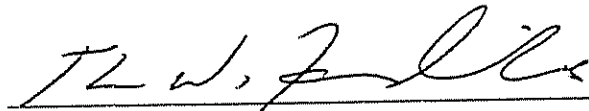
Therefore, authorization is hereby granted to draft said agreements which, upon completion, shall be submitted to the Contract Administrator for approval and execution.


for LARRY S. BONINE
Director

APPROVAL OF
THE FORT MOHAVE INDIAN TRIBE ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and the FORT MOHAVE INDIAN TRIBE and declare this agreement to be in proper form and within the powers and authority granted to the Tribe under the laws of the Tribe.

DATED this 18th day of April, 1996.



Tribal Attorney



STATE OF ARIZONA

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GRANT WOODS
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TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT DETERMINATION

A.G. Contract No. KR95-1807-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 24th day of April, 1996.

GRANT WOODS
Attorney General

A handwritten signature in black ink, appearing to read "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH
Assistant Attorney General
Transportation Section

JRR:lsr
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